



S-342  
online

### **ORDINANCE NUMBER 2811**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR OUTSIDE STORAGE INCLUDING VARIANCES TO THE SCREENING AND LOCATION REQUIREMENTS, ON APPROXIMATE 4.94 ACRES OF LAND LOCATED AT 1901 HUTTON COURT AND WITHIN THE PLANNED DEVELOPMENT NUMBER 22 (PD-22) ZONING DISTRICT; AMENDING AND REPLACING IN ITS ENTIRETY ORDINANCE 2795; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made; and.

WHEREAS, the Planning and Zoning Commission and City Council do hereby find that this Amendment to the Zoning Ordinance is required in order to protect the health, safety, and welfare of the City and its citizens; that failure to approve this Ordinance could adversely impact the Planned Development of the City in an orderly manner considering the impact on the City's streets, utilities, environment, fire and police protection, and that all requirements for construction of public improvements are reasonable, necessary, result directly from the proposed development, and are on site and contiguous to the subject property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit to allow outside storage, including variance requests to the screening and location requirements, on approximate 4.94 acres of land located at 1901 Hutton Court, and within the Planned Development Number 22 (PD-22) zoning district (hereinafter the "Property"), as described in the attached Exhibit "A" and further depicted on Exhibit "B," subject to the terms and conditions contained herein.

**SECTION 3.** That the Property shall conform in operation, location and construction to the development standards specified within the Planned Development Number 22 (PD-22) zoning district and in accordance with the approved site plan attached hereto as Exhibit "C." All exhibits attached hereto are incorporated herein by reference.

**SECTION 4.** That the City Council does hereby approve the site plan attached hereto as Exhibit "C" with the following variances:

1. Allow outside storage without the required screening from all sides on a street by a masonry screen or landscaped area;
2. Allow outside storage on the side of a building fronting a street; and
3. Allow outside storage above the height of the screening device.

**SECTION 5.** That Ordinance 2795 is hereby amended and replaced in its entirety by Ordinance 2811.

**SECTION 6.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

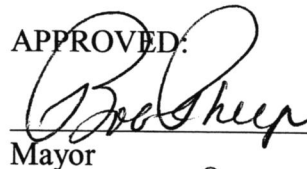
**SECTION 7.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 8.** In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

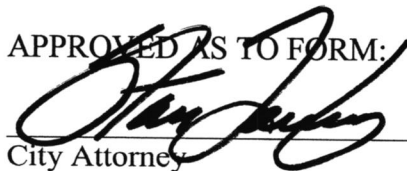
**SECTION 9.** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 7<sup>th</sup> day of March, 2005.**

APPROVED:

  
\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

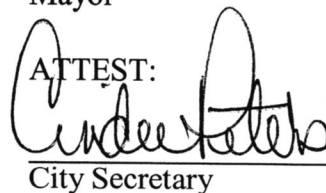
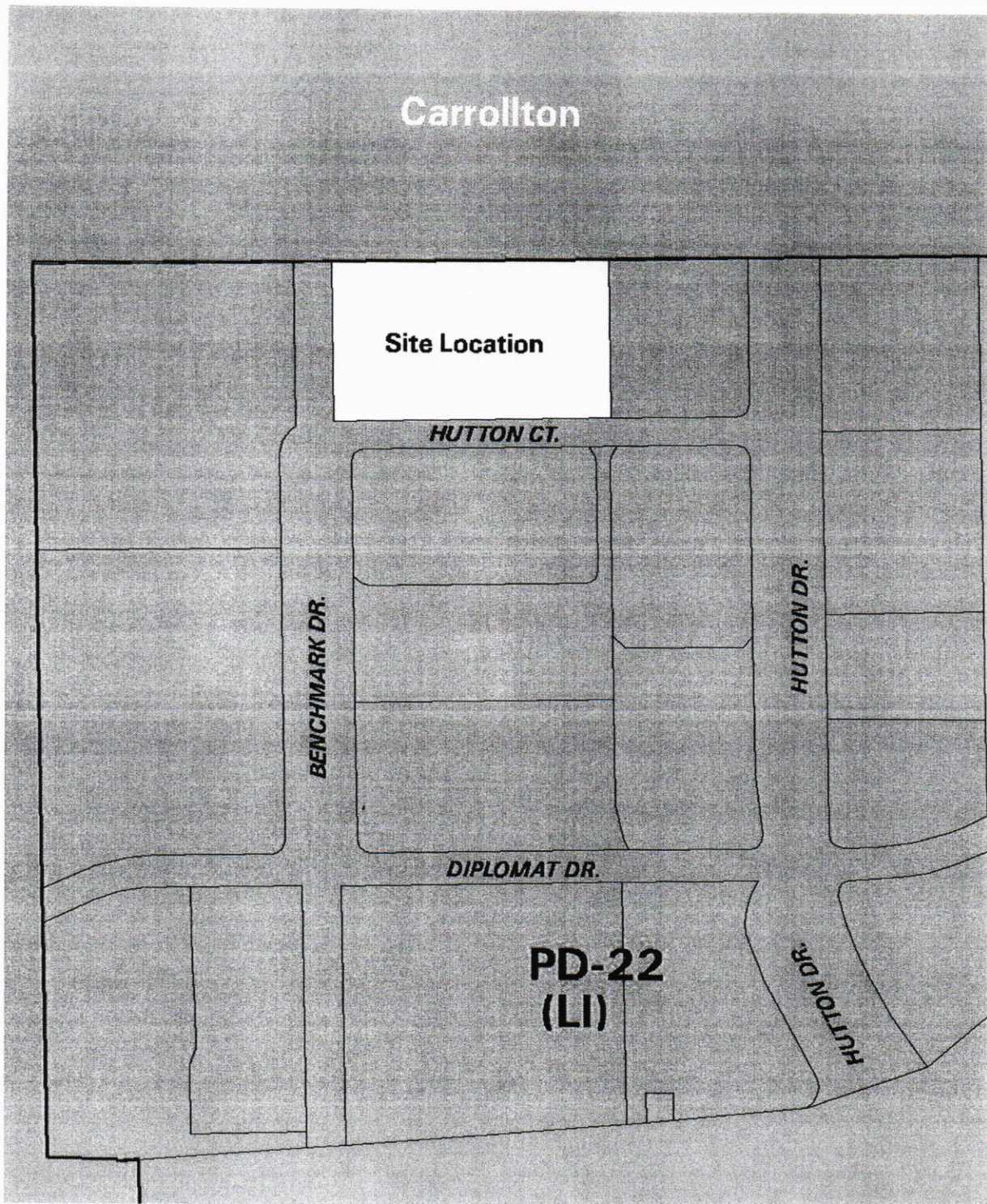
  
\_\_\_\_\_  
City Secretary

Exhibit "A"

Lot 2, Block 1 of the Final Plat of the Valwood Park Farmers Branch Phase One Addition, City of Farmers Branch, Dallas County, Texas. Volume 84168, page 3294.

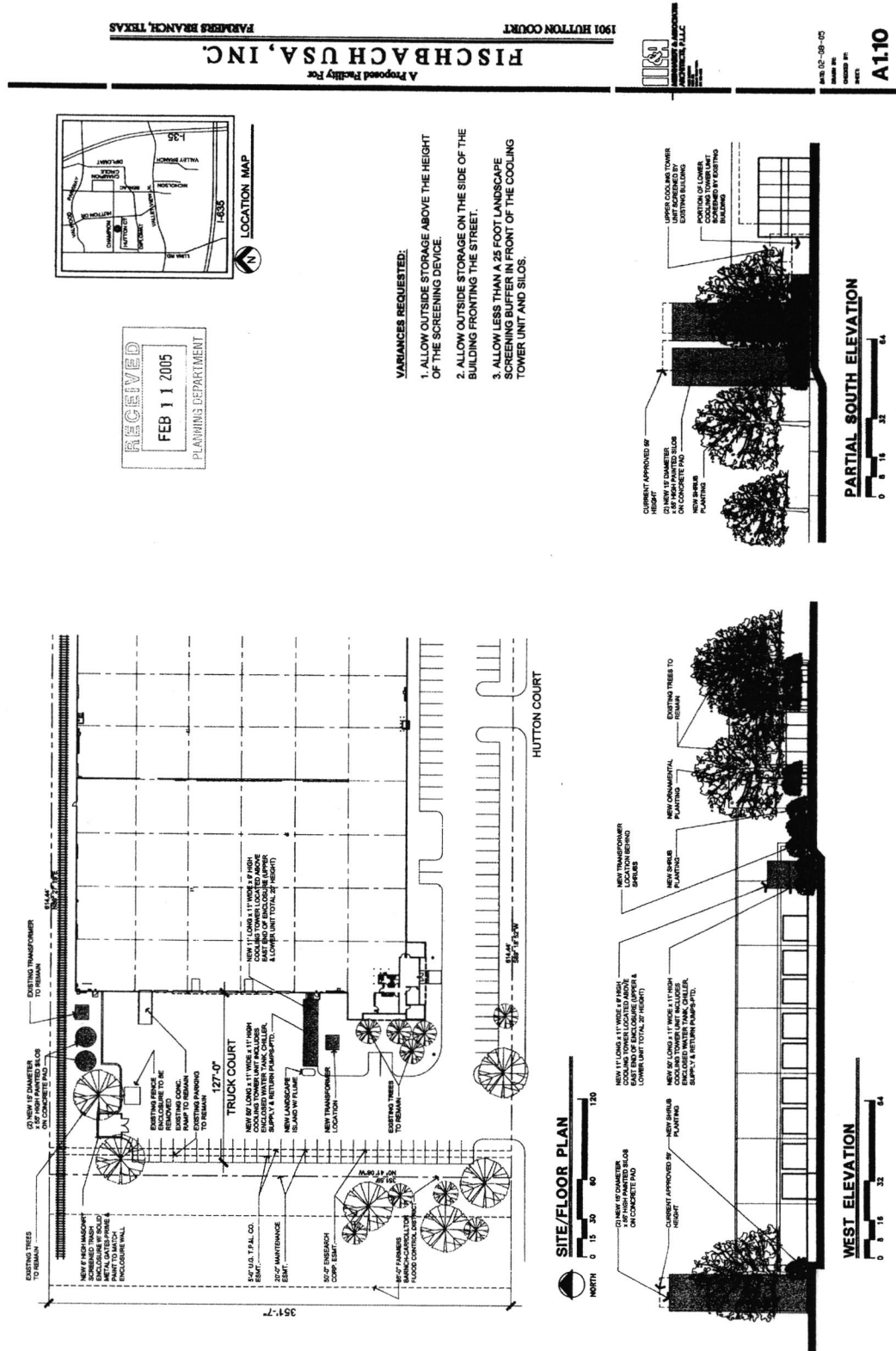


Exhibit "B"



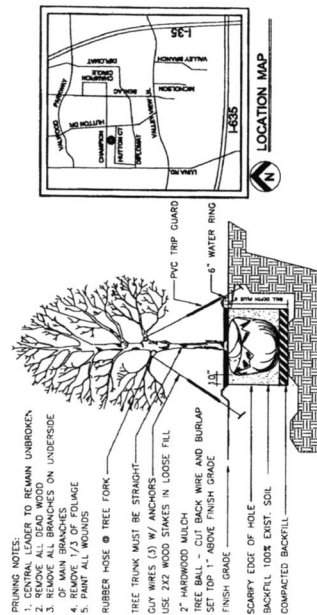


# Exhibit "C" –Site Plan



City of Farmers Branch P.O. Box 819010 Farmers Branch, Texas 75381-9010 972/247-3131  
 Linked in Friendship with District of Bassetlaw, England, Garbsen and Schönebeck, Germany.  
 Internet URL...<http://www.ci.farmers-branch.tx.us>

## L1.10



TREE GUYING DETAIL

GENERAL:	<p>1. ALL PLANT MATERIALS TO MEET NATIONAL STANDARDS FOR NURSERY STOCK.</p> <p>2. ALL PLANT MATERIALS TO BE SPECIALLY SELECTED AND PROTECTED FOR THE PROJECT.</p> <p>3. SEE PLANT LIST FOR PLANT NAMES AND DESCRIPTIONS.</p> <p>4. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS.</p> <p>5. CONTRACTOR SHALL PROVIDE ALL REQUIRED PERMITS FOR IRRIGATION.</p>
TURFGRASSES:	<p>ALL DISTURBED AREAS LESS THAN 4'1" (SLOPES)</p>
TURFGRASSES:	<p>ALL AREAS SHALL RECEIVE HYBRONCHOL-SEEDED GRASS (ON SLOPES).</p>
ALL AREAS WITH SLOPES GREATER THAN 4:1 (SLOPES)	<p>ALL AREAS WITH SLOPES GREATER THAN 4'1" SHALL RECEIVE SOLID BROMERGRASS. SEE PREPARATION (POCKET PLANTING)</p>
FREE GROUND	<p>ALL LARGE SHRUBS TO BE POCKET PLANTED FOR THE SETBACK ON THE PAVEN.</p>
MAINTENANCE:	<p>CUT ALL TREES WITH THREE (3) CUT WIRES FOR THE SETBACK.</p>
VISIBILITY TRIANGLE	<p>THE PROPERTY OWNER SHALL PROVIDE REGULAR WEEDING, IRRIGATION, FERTILIZING, PRUNING AND ANY OTHER MAINTENANCE REQUIRED BY THE PLANT MATERIALS AFTER FINAL ACCEPTANCE. CONTRACTOR SHALL MAINTAIN PLANTING AREAS OF THE REQUIRED LANDSCAPE MAINTENANCE UNTIL FINAL ACCEPTANCE.</p>
LANDSCAPE MATERIALS	<p>LANDSCAPE MATERIALS INSTALLED WITHIN THE VISIBILITY TRIANGLE SHALL COMPLY WITH THE CITY OF FANNIN'S BRANCH CODES FOR SIGN CLAMPING.</p>
IRRIGATION SYSTEM	<p>CONTRACTOR SHALL PROVIDE AN AUTOMATIC IRRIGATION SYSTEM USING RAINBIRD EQUIPMENT AND CONTROLLER.</p>

**LANDSCAPE ARCHITECT'S STATEMENT**

I, **KEITH ALLEN LANDSCAPE ARCHITECT, LICENSE #88,**  
**200 N. COLLIER BLVD., #105**  
**HOUSTON, TEXAS 77059**  
**TEL. 972-88-4220**

THE REASONS FOR ARCHITECTURAL EXAMINERS HAS JURISDICTION OVER EXAMINEES REGARDING THE PROFESSIONAL PRACTICES OF THE PERSONS REGISTERED AS A LANDSCAPE ARCHITECT IN TEXAS.

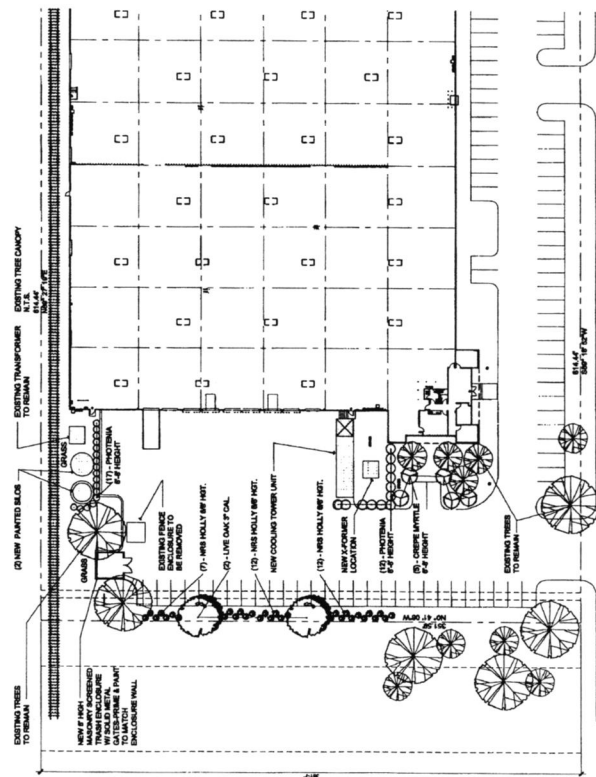
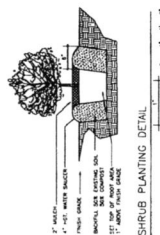
THE REASONS FOR ARCHITECTURAL EXAMINERS HAS JURISDICTION OVER EXAMINEES REGARDING THE PRACTICES OF THE PERSONS REGISTERED AS A LANDSCAPE ARCHITECT IN TEXAS.

**P.O. BOX 13337**  
**AUSTIN, TEXAS 78711**



RECEIVED  
JAN 20 2005  
PLANNING DEPARTMENT

PLANT LIST -										FRÖCHBACH
SHADE TREES										
COMMON NAME		LOCAL NAME		SIZE	IDENTIFICATION					
P. NAME		LOCAL NAME		P. NAME	LOCAL NAME		P. NAME	LOCAL NAME		
ORNAMENTAL TREES										
COMMON NAME		SIZE		IDENTIFICATION		COMMON NAME		SIZE		
FRUIT SAMPLE <td colspan="2">FRUIT SAMPLE</td> <td colspan="2">FRUIT SAMPLE</td> <td colspan="2">FRUIT SAMPLE</td> <td colspan="2">FRUIT SAMPLE</td>		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		
ORNAMENTAL TREES										
COMMON NAME		SIZE		IDENTIFICATION		COMMON NAME		SIZE		
FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		
LARGE SHRUBS										
COMMON NAME		SIZE		IDENTIFICATION		COMMON NAME		SIZE		
FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		
SMALL SHRUBS										
COMMON NAME		SIZE		IDENTIFICATION		COMMON NAME		SIZE		
FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		
HERBACEOUS PLANTS										
COMMON NAME		SIZE		IDENTIFICATION		COMMON NAME		SIZE		
FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		FRUIT SAMPLE		



HUTTON COURT

**LANDSCAPE PLAN**

0 15 30 60

 NORTH